

Order

Michigan Supreme Court
Lansing, Michigan

February 3, 2011

Robert P. Young, Jr.,
Chief Justice

141739(93)

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellant,

v

SC: 141739
COA: 278411
Kent CC: 06-006768-FC

SAMMIE RAY BAILEY, JR.,
Defendant-Appellee.

On order of the Court, the motion for reconsideration or clarification of this Court's November 24, 2010 order is considered, and it is GRANTED. On reconsideration, the November 24, 2010 order is amended to read as follows:

On order of the Court, the application for leave to appeal the July 20, 2010 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall address: (1) whether the court erroneously instructed the jury as to the effect of provocation on a claim of self-defense, and (2) whether the reasonable doubt standard is sufficiently expressed when the court instructs the jury that, if there was a realistic or reasonable possibility that the defendant acted in self-defense, he is not guilty.

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

February 3, 2011

Corbin R. Davis

Clerk